

THE CITY OF CLAYTON

Board of Aldermen
City Hall – 10 N. Bemiston Avenue
January 14, 2014
7:00 p.m.

Minutes

Mayor Sanger called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Michelle Harris, Cynthia Garnholz, Mark Winings, Joanne Boulton, and Alex Berger III.

Mayor Sanger
City Manager Owens
City Attorney O'Keefe

Absent: Andrea Maddox-Dallas

Mayor Sanger asked for any questions or comments relating to the December 10, 2013 minutes, which were previously provided to the Board.

Alderman Garnholz moved to approve the December 10, 2013 minutes. Alderman Harris seconded the motion.

The motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

None

A PUBLIC HEARING AND ORDINANCE TO CONSIDER A SUBDIVISION/LOT CONSOLIDATION PLAT LOCATED AT 123 & 125 GAY AVENUE

Mayor Sanger opened the Public Hearing and requested proof of publication.

City Manager Owens reported that this is a public hearing and subsequent ordinance to consider approving a lot consolidation plat for the consolidation of two parcels located in the Colonial Park Subdivision.

On November 22, 2013, the City of Clayton received an application, plat and supporting documents from Robert Slavin, co-owner of Slavin Runyon, LLC, owner of 123 & 125 Gay Avenue, for a lot consolidation plat to support proposed development of two new single family residences.

The properties, which are currently vacant, are located on the west side of Gay Avenue, just north of the Colonial Marketplace shopping center. The properties are located in the Clayton Gardens Urban Design District and have a base zoning designation of R-4 Low Density Multiple Family Dwelling District.

The proposed plat consolidates two existing parcels as follows:

- Lot 80 (currently addressed 125 Gay Avenue), and
- A vacated private alley named “15 Foot Strip of Land” (currently addressed 123 Gay Avenue).

Lot 80 measures 7,441 square feet. The “15 Foot Strip of Land”, measuring 1,962 square feet, is a former paper alley that was vacated in 2001. This lot is located entirely within an easement to Union Electric Company and contains three AT&T panel boxes on concrete pads.

The newly consolidated lot (to be addressed 123 Gay Avenue) will measure 9,403 square feet and will have 65 feet of frontage along Gay Avenue.

The Plan Commission considered this request at its December 16, 2013 meeting and voted to recommend approval with one descending vote. Recommendation is to approve the request for lot consolidation.

Mr. Bobby Slavin, co-owner, addressed the Board stating that the plan is to build two single family homes which they feel will be a good fit for the neighborhood.

In response to Mayor Sanger’s question, Mr. Slavin stated that they met with the Architectural Review Board and have taken all of their suggestions into consideration meeting all of the requirements associated with construction of a single family home in the Clayton Gardens Design Urban Design District (UDD).

Susan Istenes confirmed that the property is located in the Clayton Gardens Design UDD.

Mayor Sanger closed the Public Hearing.

Alderman Harris introduced Bill No. 6424, a lot consolidation approval for 123 & 125 Gay Avenue to be read for the first time by title only. Alderman Garnholz seconded.

City Attorney O’Keefe reads Bill No. 6424, an Ordinance Providing for the Approval of a Plat to Consolidate Certain Property Located in the City of Clayton, Missouri for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Harris introduced Bill No. 6424, a lot consolidation approval for 123 & 125 Gay Avenue to be read for the second time by title only. Alderman Garnholz seconded.

City Attorney O’Keefe reads Bill No. 6424 for the second time; Alderman Harris – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; and Mayor Sanger – Aye. The Bill was adopted and became Ordinance No. 6298 of the City of Clayton.

**A PUBLIC HEARING AND ORDINANCE TO CONSIDER A MINOR SUBDIVISION PLAT
LOCATED AT 222 NORTH BRENTWOOD BOULEVARD**

Mayor Sanger opened the Public Hearing and requested proof of publication.

City Manager Owens reported that this is a public hearing and subsequent ordinance to consider approving a minor subdivision plat for the subdivision of one parcel located in the West Bemiston Subdivision.

On November 18, 2013, the City of Clayton received an application, plat and supporting documents from Michael Lauren Development, LLC, developer on behalf of Clayton Lodge 601, owner of 222 North Brentwood Boulevard, for a minor subdivision plat to subdivide an existing 21,453-square-foot property into three individual lots for the purposes of redevelopment.

The subject property is located at the southeast corner of North Brentwood and Kingsbury Boulevards. Adjacent properties on the east side of North Brentwood Boulevard are multi-family residential. To the west of North Brentwood Boulevard is the Clayton Gardens Subdivision, consisting of single-family homes.

The property has a zoning designation of R-4 Low Density Multiple Family Dwelling District. No change in zoning is proposed. The Masonic Lodge #601, built in 1956, currently occupies the site. The applicant is proposing to demolish this building and subdivide the property into three individual lots for the proposed future development of single-family homes.

The plat, as presented, will subdivide Lot 6 and part of Lot 5 in Block 3 of the West Bemiston Subdivision into three separate, buildable lots as follows: Lot 1: 8,625 square feet, Lot 2: 5,928 square feet, and Lot 3: 6,900 square feet.

The Plan Commission considered this request at its December 2, 2013 meeting and voted to recommend approval with one descending vote. Recommendation is approve the plat.

In response to the Board's questions, Mr. Mike Rechan, Michael Lauren Development LLC, addressed the Board stating that they will build two single family homes and one duplex. He said that they have plans to begin construction right away once it is approved.

Mayor Sanger closed the public hearing.

Alderman Harris introduced Bill No. 6423, an ordinance to approve a subdivision plat for 222 N. Brentwood Boulevard to be read for the first time by title only. Alderman Garnholz seconded.

City Attorney O'Keefe reads Bill No. 6423, an ordinance Providing for the Approval of a Plat to Subdivide Certain Property located in the City of Clayton, Missouri for an Effective Date for Same for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Harris introduced Bill No. 6423, an ordinance to approve a subdivision plat for 222 N. Brentwood Boulevard to be read for the second time by title only. Alderman Maddox-Dallas seconded.

City Attorney O'Keefe reads Bill No. 6423 for the second time; Alderman Harris – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; and Mayor Sanger – Aye. The Bill was adopted and became Ordinance No. 6299 of the City of Clayton.

A PUBLIC HEARING AND RESOLUTION TO CONSIDER APPROVING CONDITIONAL USE PERMIT FOR CRAFT BEER CELLAR – A PACKAGE LIQUOR STORE 8113 MARYLAND AVENUE

City Manager Owens reported that this is a public hearing and resolution to consider approving a Conditional Use Permit for the operation of a package liquor store at 8113 Maryland Avenue to be known as Craft Beer Cellar.

The business will be located in the 2,232-square-foot commercial building that was previously occupied by Simon's Jewelers. Proposed hours of operation are 10 a.m. to 10 p.m. Monday through Thursday; 10 a.m. to 11 p.m. Friday and Saturday; and 11 a.m. to 6 p.m. on Sunday. The business will have four employees.

Eight (8) off-street parking spaces are required for this use (a ratio of one space for each 300 gross square feet of floor area). A shared surface parking lot containing approximately 66 parking spaces for use by the tenants on this block of Maryland Avenue is located on the north side of the building. There is also on-street parking available.

The Plan Commission considered this request at their December 16, 2013, meeting and voted unanimously to recommend approval.

Recommendation is to approve a Conditional Use Permit for the operation of Craft Beer Cellar at 8113 Maryland Avenue.

In response to the Board's questions, Mr. Brandon Nicholson, owner addressed the Board stating that they will be selling beer only. They will have approximately 1,000 different styles available and will be sold as packaged-to-go. They are planning on providing educational courses and free complimentary tasting. He stressed that they will not be selling individual drinks and the store will not be a bar, but strictly packaged retail.

Alderman Harris moved to approve Resolution No. 14-01, a Conditional Use Permit for Craft Beer Cellar. Alderman Garnholz seconded.

The motion passed unanimously on a voice vote.

In response to Mayor Sanger's question, Mr. Nicholson stated that they are anticipating opening on March 1, 2014 and that they will be renovating the front façade of the building.

A MOTION TO APPROVE A LIQUOR LICENSE TO SELL ALL KINDS OF INTOXICATING LIQUOR AT RETAIL BY THE PACKAGE, INCLUDING SUNDAYS FOR CRAFT BEER CELLAR AT 8113 MARYLAND AVE

City Manager Owens reported that Craft Beer Cellar is requesting a liquor license to sell all kinds of intoxicating liquor at retail by the package, including Sundays, at 8113 Maryland Avenue.

The Police Department has completed its review of the application and supports the issuance of the requested license. The Planning and Development department has also approved the application with no objections.

The applicant has chosen not to submit a petition from surrounding property owners and first floor tenants. As a result, they are aware that this application must have a super majority vote of five Board members in order to be approved. Staff has requested that a representative be in attendance at the meeting.

Staff recommends passing a motion to approve the liquor license to sell all kinds of intoxicating liquor at retail by the package, including Sundays.

In response to Mayor Sanger's question, Janet Watson confirmed that the license is for the sell of retail by the package only.

Alderman Harris moved to approve a liquor license for Craft Beer Cellar. Alderman Garnholz seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER REVISIONS TO CHAPTER 425 (SIGN REGULATIONS) TO ALLOW EXPANDED SIGNAGE OPPORTUNITIES DURING SPECIAL RETAIL EVENTS - SPECIAL EVENTS SIGNS PILOT PROGRAM

City Manager Owens reported this is an ordinance adopting a special events sign pilot program pursuant to Title IV (Land Use), Chapter 425 (Sign Regulations) of the Code of Ordinances of the City of Clayton. The program will assess what impact some relaxation or expansion of temporary signage opportunities might have on city revenue, the economic vitality of the city's retail businesses, commercial and residential property values, and the urban aesthetic of the city's retail areas. This would be a temporary pilot program for two years, unless extended by act of the Board. Prior to the expiration of the ordinance the City Manager will report to the Board his or her assessment of the impact of this ordinance might have had on safety, revenue, economic vitality of retail businesses and property value.

On November 18, 2013, the Clayton Plan Commission held a public hearing and voted to recommend to the Board permanent sign code amendments that would expand the kind, frequency, duration and number of permissible temporary signs in retail areas - regulatory changes substantially similar in effect to the changes permitted under the pilot program. Recommendation is to approve the ordinance as presented.

Mayor Sanger clarified that this is a pilot program that will be reviewed in two years to reevaluate what impact, if any, it has had on the businesses.

City Attorney O'Keefe explained that a Public Hearing was held on December 10, 2013 for Bill No. 6218, but since then the draft had been slightly revised. He recommended that the Board move to amend Bill No. 6218 as Bill No. 6218.1.

Alderman Harris moved to amend Bill No. 6218 to Bill No. 6218.1. Alderman Garnholz seconded.

The motion passed unanimously on a voice vote.

Alderman Harris introduced Bill No. 6418.1, an amendment to Chapter 425, Sign Regulations, to be read for the first time by title only. Alderman Garnholz seconded.

City Attorney O'Keefe reads Bill No. 6418.1, an Ordinance Authorizing a Pilot Program to Assess the Benefits and Risks of Allowing Expanded Signage Opportunities During Special Retail Events for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Harris introduced Bill No. 6418.1, an amendment to Chapter 425, Sign Regulations, to be read for the first time by title only. Alderman Garnholz seconded.

City Attorney O’Keefe reads Bill No. 6418.1 for the second time; Alderman Harris – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; and Mayor Sanger – Aye. The Bill was adopted and became Ordinance No. 6300 of the City of Clayton.

CONSIDERATION TO APPROVE AN APPOINTMENT TO THE PUBLIC ART ADVISORY COMMITTEE

City Manager Owens reported that due to a recent vacancy on the Public Art Advisory Committee Ward 2 has nominated Ronald Greenberg to be appointed to serve a remaining three-year term ending June 30, 2015. Recommendation is to approve the appointment.

Alderman Harris moved to approve the appointment of Ronald Greenberg. Alderman Garnholz seconded.

The motion passed unanimously on a voice vote.

Other

Alderman Harris reported that the St. Louis County Municipal League Executive Board met recently. The Better Together initiative is moving forward and they are planning future meetings with the entire Municipal League group and also inviting individuals from various municipalities.

The Executive Board voted to support St. Louis County’s Complete Streets ordinance.

The Parks and Recreation Commission voted to look at the green space allocation in the community and will provide a report to the Board of Aldermen.

Alderman Garnholz publically thanked the Emergency Medical Technicians’ staff for their outstanding professionalism and skills during a recent personal experience at her home.

Alderman Boulton reported that the Livable Communities Committee met recently and discussion was on the City’s green space.

Alderman Berger commended the Public Works Department and staff for the excellent job of snow removable during the recent winter storm. He also commented that the waste hauling contractor did a great job following up.

Mayor Sanger reported that the MYAC met this week and they shared with him the project that the group is working on; they are offering to help create neighborhood websites to those neighborhoods that do not have one. They will be contacting the neighborhood trustees to set-up a schedule to meet with them.

Mayor Sanger noted that there were to April election filers in the audience, Richard Lintz (Ward 1) and Ira Berkowitz (Ward 2).

Mayor Sanger reminded the Board that the Chamber of Commerce *State of the City* is scheduled for January 23, 2014 at 4:00 p.m.

There being no further regular business the meeting was adjourned at 7:32 p.m.

Mayor

ATTEST:

City Clerk